



032204

17707 U.S. PTO

**NON-PROVISIONAL  
UTILITY PATENT APPLICATION  
TRANSMITTAL - 37 CFR 1.53(b)**

☐ **Duplicate**  
(check, if applicable)

16018 U.S. PTO  
10/805965



032204

**MAIL STOP PATENT APPLICATION**    **Attorney Docket No.:** 10407-82US (A3103MT-US1)  
**Commissioner for Patents**                      **First Named Inventor:** Katsuya WATANABE et al.  
**P.O. Box 1450**                                      **Express Mail Label No.:** EV369931110US  
**Alexandria, VA 22313-1450**                      **Total Pages of Transmittal Form:** 3

Transmitted herewith for filing is the non-provisional utility patent application entitled:

METHOD AND APPARATUS FOR RECOGNIZING OPTICAL DISCS, OPTICAL DISC DRIVE,  
 AND METHOD AND APPARATUS FOR DISTINGUISHING DATA STORAGE LAYER  
 which is:

an ☒ Original; or

a ☐ Continuation,    ☐ Divisional, or    ☐ Continuation-in-part (CIP)  
 of prior Application No. filed.

Anticipated Group/Art Unit: or Class , Subclass .

☐ This non-provisional patent application is based on Provisional Patent Application No. ,  
 filed .

Enclosed are:

- ☒ Specification (including Abstract) and claims: 138 pages.
- ☒ 46 sheets of drawings (formal).
- ☐ Application Data Sheet.
- ☒ Newly executed Declaration (copy).
- ☐ Copy of Declaration from prior application.
- ☐ Separate Power of Attorney (including 37 CFR 3.73(b) statement, if applicable).
- ☐ Microfiche computer program (Appendix).
- ☐ Nucleotide and/or Amino Acid Sequence Submission, including:
- ☐ Computer readable copy    ☐ Paper Copy    ☐ Verified Statement.
- ☒ Under PTO-1595 Cover Sheet, an assignment of the invention
- ☒ Name of Assignee: Matsushita Electric Industrial Co., Ltd.
- ☒ Certified copy of Japanese Application No. 2003-082401 filed March 25, 2003 is  
 filed: ☒ herewith    or    ☐ in prior application .

- ☐ Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as ☐ an Independent Inventor, or ☐ a Small Business Concern, or ☐ a Non-Profit Organization.
- ☒ Preliminary Amendment.
- ☐ Information Disclosure Statement, PTO/SB/08A, and cited references.
- ☐ Request for Nonpublication of Application Under 35 U.S.C. §122(b)
- ☐ Other:

The filing fee is calculated as follows:

			SMALL ENTITY			LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC FEE:			BASIC FEE:	
			\$385			\$770	
Total	24 - 20 =	4	X9	\$	OR	X18	\$ 72.00
Independent	6- 3 =	3	X43	\$	OR	X86	\$ 258.00
<input type="checkbox"/> Multiple Dependent Claims Present			\$145	\$	OR	\$290	\$
			<b>TOTAL</b>	<b>\$</b>	<b>OR</b>	<b>TOTAL</b>	<b>\$ 1,100.00</b>

- ☐ The Commissioner is not authorized to charge the filing fee at this time as we elect to defer payment of the entire filing fee until receipt of a Notice to File Missing Parts
- ☒ A check in the amount of \$1,100.00 to cover the filing is enclosed.
- ☒ The Commissioner is hereby authorized to charge and/or credit **Deposit Account No. 50-1017 (Billing No. 210407.0082)** as noted below. A duplicate copy of this sheet is enclosed.
- ☒ Any overpayments or deficiencies in the above-calculated fee.
- ☐ Filing fee in the amount of \$\_\_\_\_\_ as calculated above.
- ☒ Any additional fees required under 37 C.F.R. § 1.16 and § 1.17.
- ☒ In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

**CORRESPONDENCE ADDRESS**

March 22, 2004  
(Date)

By: 

**JOHN D. SIMMONS**  
Registration No. 52,225  
**AKIN GUMP STRAUSS HAUER & FELD LLP**  
One Commerce Square  
2005 Market Street, Suite 2200  
Philadelphia, PA 19103-7013  
Telephone: 215-965-1200  
**Direct Dial: 215-965-1268**  
Facsimile: 215-965-1210  
E-Mail: jsimmons@akingump.com

☒ Customer Number or Bar Code Label: **000570**

JDS:sm  
Enclosures